

REMARKS

Reconsideration of the above-identified patent application in view of the present amendment and the following remarks is respectfully requested.

Per the Examiner's request, a copy of the European search report is attached to this amendment.

This amendment cancels claim 8 and amends claims 7 and 9-12. The amendment to claim 7 corrects a typographical error. The amendment to claim 10 rewrites claim 10 in independent form and also corrects a typographical error. Claims 9, 11, and 12 have been amended to depend from claim 10.

Claim 1 stands rejected as being anticipated under 35 U.S.C. §102(b) by EP 0 915 302 A2. The rejection of claim 1 is respectfully traversed.

Anticipation requires a single prior art reference that discloses each element of the claim. W.L. Gore & Associates v. Garlock, Inc., 220 UPSQ 303, 313 (Fed. Cir. 1983) cert. denied 469 U.S. 851 (1984). For a reference to anticipate a claim, "[t]here must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention." Scripps Clinic & Research Foundation v. Genentech Inc., 18 USPQ2d 1001, 1010 (Fed. Cir. 1991).

Claim 1 recites a flap having a plurality of mounting openings. Claim 1 further recites that the flap has portions adjacent the openings that cooperate with mounting posts of the housing to provide a snap connection between the flap and the mounting posts. EP 0 915 302 A2 fails to teach or suggest

a flap having portions adjacent mounting openings that cooperate with mounting posts of the housing to provide a snap connection between the flap and the mounting posts. There is no snap connection between the flap and mounting posts in EP 0 915 302 A2.

EP 0 915 302 A2 specifically teaches that during an initial stage of manufacturing the ventilation grill assembly 30 of Figs. 3 and 4, the flap valves 38 and 40 are produced. (EP 0 915 302 A2, Col. 4, lines 43-46). EP 0 915 302 A2 then teaches that the manufactured flap valves are placed in a mold which is designed to produce the frame 32. (EP 0 915 302 A2, Col. 4, lines 47-50). The studs 58 and 60 of the frame are integrally molded with the frame 32. (EP 0 915 302 A2, Col. 4, lines 20-25). Thus, in EP 0 915 302 A2 there is no snap connection between the flap and mounting posts. Instead, EP 0 915 302 A2 teaches injection molding the studs through the holes in the flap. Since EP 0 915 302 A2 fails to teach or suggest each feature of claim 1, allowance of claim 1 is respectfully requested.

Claims 2-7 depend from claim 1 and are allowable for at least the same reason as claim 1. Additionally, claims 2-7 are allowable for the specific limitations of each claim.

Specifically, claims 4 and 7 recite deformable material portions surrounding the openings of the flap. In rejecting claims 4 and 7, the Office Action states that such deformable material is inherent in EP 0 915 302 A2 "since the holes in the flap (38) need to be inserted over the posts (58) so that in the installed position, the enlarged portion of the posts

(58) serve to hold the flap (38) in place." (Office Action, page 3). The Office Action misinterprets the teachings of EP 0 915 302 A2. Since EP 0 915 302 A2 clearly teaches that the studs 58 are injection molded through holes in the flap, there is no insertion of the enlarged head portions of the studs, 58 through the holes of the flap. Therefore, deformable material portions of the flaps are not necessary and are not inherent in EP 915 302 A2. Since EP 0 915 302 A2 fails to teach or suggest the deformable material portions of claims 4 and 7, allowance of claims 4 and 7 is respectfully requested.

Claim 5 recites that the mounting posts project from recessed areas of the base wall. EP 0 915 302 A2 fails to teach or suggest a base wall having a recessed portion from which mounting posts project. Therefore, allowance of claim 5 is respectfully requested.

Claim 10, which has been rewritten in independent form by this amendment, recites that the flap includes material portions that deform from a first condition to a second condition in response to engagement with the T-shaped mounting posts to enable movement of the flap over the posts in a direction toward a flap engagement surface of the housing. Claim 10 also recites that the material portions of the flap substantially returning from the second condition to the first condition after the flap is mounted on the mounting posts of the housing. As is set forth above with regard to claims 1, 4, and 7, EP 0 915 302 A2 fails to teach or suggest flaps having deformable material for enabling movement of the flap over the posts in a direction toward a flap engagement surface

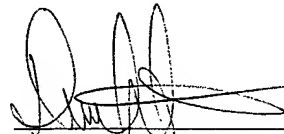
of the housing. Since EP 0 915 302 A2 fails to teach or suggest each feature of claim 10, allowance of claim 10 is respectfully requested.

Claims 9, 11, and 12 depend from claim 10 and are allowable for at least the same reasons as claim 10. Additionally, claims 9, 11, and 12 are allowable for the specific limitations of the claims. Specifically claim 11 is allowable for reasons similar to those set forth above with regard to claim 5.

In view of the foregoing, it is respectfully submitted that the above-identified patent application is in condition for allowance, and allowance of the above-identified patent application is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,



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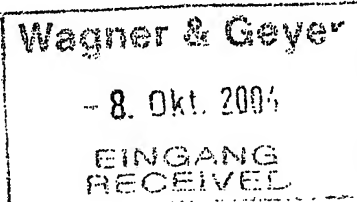
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Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire TRW Automotive U.S. LLC	

COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

☒ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

The following specifications given by the applicant have been approved by the Search Division:

☒ abstract

☒ title

☐ The abstract was modified by the Search Division and the definitive text is attached to this communication.

The following figure will be published together with the abstract: **NONE**

REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
Y	US 6 357 473 B1 (PATRIUS JR ANDREW L ET AL) 19 March 2002 (2002-03-19) * column 3, line 6 - line 12; figures 1,15 *	1-12	B60H1/24 F16K15/14
Y	FR 1 321 824 A (UNITED CARR FASTENER CORP) 22 March 1963 (1963-03-22) * page 1; figure 5 *	1-12	
A	US 4 640 293 A (GARBE DIETMAR R) 3 February 1987 (1987-02-03) * column 3, lines 16-26; figures 6-7C *	1-12	
A	EP 0 915 302 A (DRAFTEX IND LTD) 12 May 1999 (1999-05-12) * paragraph '0022!; figure 3 *	1-12	
			TECHNICAL FIELDS SEARCHED (Int.Cl.7)
			B60H F16K F04B
The present search report has been drawn up for all claims			
Place of search Munich		Date of completion of the search 28 September 2004	Examiner Gumbel, A
CATEGORY OF CITED DOCUMENTS			
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document		T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document	

**ANNEX TO THE EUROPEAN SEARCH REPORT
ON EUROPEAN PATENT APPLICATION NO.**

EP 04 01 4889

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on
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28-09-2004

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
US 6357473	B1	19-03-2002	AU	5173300 A	18-12-2000
			CZ	20014216 A3	17-04-2002
			EP	1185812 A1	13-03-2002
			JP	2003500620 T	07-01-2003
			WO	0073686 A1	07-12-2000
			US	2002148507 A1	17-10-2002
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FR 1321824	A	22-03-1963	NONE		
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US 4640293	A	03-02-1987	DE	3039916 A1	07-05-1981
			GB	2062470 A	28-05-1981
<hr/>					
EP 0915302	A	12-05-1999	GB	2330793 A	05-05-1999
			EP	0915302 A2	12-05-1999
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